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13 **UNITED STATES BANKRUPTCY COURT**

14 **CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION**

15 In re:

16 THE LITIGATION PRACTICE GROUP P.C.,

17 Debtor.

18 OHP-CDR, LP, a Texas Limited Partnership and  
19 PURCHASECO 80, LLC, a Texas Limited  
20 Liability Company,

21 Counterclaimants,

22 v.

23 RICHARD A. MARSHACK, Chapter 11 Trustee  
24 and AZZURE CAPITAL, LLC, a New York  
25 Limited Liability Company.

26 Defendants.

Case No.: 8:23-bk-10571-SC

Adv. Proc. No. 8:23-ap-01098-SC

Chapter 11

**WITHDRAWAL OF MOTION TO  
CONSOLIDATE THIS ADVERSARY  
PROCEEDING WITH ADVERSARY  
PROCEEDING 8:24-AP-01011 PURSUANT  
TO FED. R. OF CIV. PRO. 41 MADE  
APPLICABLE HEREIN BY FED. R. OF  
BANKR. PRO. 7041**

1 RICHARD A. MARSHACK,  
2 Chapter 11 Trustee,

3 Counterclaimant,  
4 v.

5 OHP-CDR, LP fka OHP-LPG, LP, a Delaware  
6 limited partnership and PURCHASECO80, LLC,  
7 a Delaware limited liability company,

8 Counterdefendants.

9 **TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES BANKRUPTCY  
10 JUDGE, THE OFFICE OF THE UNITED STATES TRUSTEE, OHP-CDR, LP,  
11 PURCHASECO80, LLC, AND AZZURE CAPITAL, LLC, THEIR COUNSEL OF RECORD,  
12 AND OTHER PARTIES IN INTEREST:**

13 Richard A. Marshack, Chapter 11 Trustee (the “Trustee”) of the bankruptcy estate (the  
14 “Estate”) of The Litigation Practice Group, P.C. (“LPG” or the “Debtor”) in the above-captioned  
15 bankruptcy case (the “Case”) as Defendant and Counterclaimant herein, hereby files this Withdrawal  
16 of Motion To Consolidate this Adversary Proceeding with Adversary Proceeding 8:24-ap-01011  
17 Pursuant to Fed. R. Civ. Pro. 41 Made Applicable Herein Pursuant to Fed. R. Bankr. Pro. 704 [Dkt.  
18 No. 24] (the “Motion”) filed on February 20, 2024.

19 This withdrawal is based on this Court’s Order Setting Hearing and Requiring Compliance  
20 with orders Issued in 8:24-ap-01011 as Dk. 10 and 12 [Dkt. No. 26] entered on February 21, 2024  
21 which renders the Motion unnecessary.

22  
23 Dated: February 21, 2024

DINSMORE & SHOHL LLP

24  
25 By: /s/ Yosina M. Lissebeck

26 Yosina M. Lissebeck  
27 Christopher B. Ghio  
28 Christopher Celentino  
Special Counsel to Richard A. Marshack,  
Chapter 11 Trustee

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 655 W. Broadway, Suite 800, San Diego, California 92101

A true and correct copy of the foregoing document entitled **WITHDRAWAL OF MOTION TO CONSOLIDATE THIS ADVERSARY PROCEEDING WITH ADVERSARY PROCEEDING 8:24-AP-01011 PURSUANT TO FED. R. OF CIV. PRO. 41 MADE APPLICABLE HEREIN BY FED. R. OF BANKR. PRO. 7041**

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On February 21, 2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On February 21, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**JUDGE'S COPY - VIA FIRST CLASS MAIL**

The Honorable Scott C. Clarkson  
United States Bankruptcy Court  
Central District of California  
Ronald Reagan Federal Building and Courthouse  
411 West Fourth Street, Suite 5130 / Courtroom 5C  
Santa Ana, CA 92701-4593

Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on February 21, 2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

February 21, 2024  
Date

Caron Burke  
Printed Name

/s/ Caron Burke  
Signature

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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

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